



Diocese of Norwich
Education and
Academies Trust

DIOCESE OF NORWICH EDUCATION & ACADEMIES TRUST

LOCAL GOVERNING BODY

TERMS OF REFERENCE

Date Created:	September 2017
Date Last Reviewed:	August 2020
Date Adopted by LGB:	Autumn 2020

Summary of Changes

Page Ref.	Section	Amendment	Date of Change
3	1	Purpose: section rewritten	August 2020
6	6	Key Responsibilities: wording enhanced	August 2020
7-9	7	Key Tasks: addition of RSE to the list of designated governors who report to the LGB	August 2020
8	7	Summer-1: Removal of Responsibility 7 from LGB	August 2020
10	App 1	Extract from Scheme of Delegation: removal of Responsibility 7 from LGB	August 2020

1 Purpose

The purpose of governance is to provide confident and strong strategic leadership which leads to robust accountability, oversight and assurance for educational and financial performance.

All governance boards, no matter what type of school or how many schools they govern, have three core functions:

- Ensuring clarity of vision, ethos and strategic direction
- Holding executive leaders to account for the educational performance of the organisation and its pupils, and the effective and efficient performance management of the staff
- Overseeing the financial performance of the organisation and making sure its money is well spent

In our Trust, the Trust Board is accountable for these functions, but it delegates some of the responsibilities to the Local Governing Body. Clarity about lines of accountability, roles and responsibilities is an essential part of effective governance. We achieve this via a Scheme of Delegation which gives everyone in the Trust a clear indication of who is accountable for what. It is essential that all governors familiarise themselves with the Scheme of Delegation for their academy so that they are clear on what they are, and are not, accountable for.

2 Membership

The membership of the Local Governing Body (LGB) will be as described in the Scheme of Delegation.

3 Quorum

The quorum for a meeting of the LGB, and any vote on any matter thereat, shall be any three of the members of the LGB, or, where greater, any one third (rounded up to a whole number) of the total number of members of the LGB at the date of the meeting, provided that no quorum shall be reached unless at least one Trust appointed LGB member is present.

The LGB may act notwithstanding any vacancies on its board, but, if the numbers of persons serving is less than the number fixed as the quorum, the continuing persons may act only for the purpose of filling vacancies or of calling a general meeting.

The quorum for the purposes of:

- i) any vote on the appointment of a parent member in accordance with clause 5.2.9 of the Scheme of Delegation
- ii) any vote on the removal of a person in accordance with the Scheme of Delegation shall be any two-thirds (rounded up to a whole number) of the persons who are at the time persons entitled to vote on those respective matters.

Any member of the LGB shall be able to participate in, and be counted as present at for the purposes of the quorum, meetings of the LGB by telephone or video conference provided that:

- i) They have given notice of their intention to do so detailing the telephone number on which they can be reached and/or appropriate details of the video conference suite from which they shall be taking part at the time of the meeting at least 48 hours before the meeting; and
- ii) the LGB has access to the appropriate equipment,

and provided that, if after all reasonable efforts it does not prove possible for that person to participate by telephone or video conference, the meeting may still proceed with its business provided it is otherwise quorate.

4 Meetings

4.1 Frequency

The LGB shall meet in accordance with the Trust Governance Framework. Any decisions taken must be determined by a majority of votes of LGB members present and voting – but no vote can be taken unless a majority of those present are Trust Appointed Governors.

4.2 Chairing

The chairman of each LGB shall be appointed by the Trustees having due regard to, but not being bound by, the views of the LGB.

The members of the LGB may, for each school year, at their first meeting in that year, elect a vice-chairman from among their number to serve. Neither a person who is employed by the Trust (whether or not at an Academy) nor a person who is at the time of election already a Trustee of the Company (except where such person is a Trustee by virtue of being the incumbent chairman) shall be eligible for election as vice-chairman.

Where the chairman is absent from any meeting or there is at the time a vacancy in the office of the chairman, the vice-chairman shall act as the chair for the purposes of the meeting.

Where the vice-chairman is also absent from the meeting or there is at the time a vacancy in the office of vice-chairman, the members of the LGB shall elect one of their number to act as a chairman for the purposes of that meeting, provided that the person elected shall neither be a person who is employed by the Trust whether or not at an Academy nor a Trustee.

Any election of the vice-chairman which is contested shall be held by secret ballot.

4.3 Clerking

The clerk of each LGB shall be appointed by the Trustees having due regard to, but not being bound by, the views of the LGB. In the absence of the clerk the LGB shall choose a clerk for that meeting from among their number (someone who is not the headteacher).

The Clerk to the committee will upload the agenda and supporting papers to the relevant folder on GovernorHub no less than 7 days prior to the meeting date.

The draft minutes of each meeting will be circulated with the agenda for the next ordinary meeting of the full governing body and will be presented at that meeting by the chair (or in his/her absence another member of the committee).

The minutes of the proceedings of a meeting of the LGB shall be drawn up and entered into a book kept for the purpose by the person authorised to keep the minutes of the LGB, and shall be signed

(subject to the approval of the members of the LGB) at the same or next subsequent meeting by the person acting as chairman thereof. The minutes shall include a record of:

- i) all appointments of members and/or officers made by the LGB and/or the Trustees; and
- ii) all proceedings at meetings of the LGB including the names of all persons present at each such meeting.

The chairman shall ensure that copies of minutes of all meeting of the LGB (and such of the subcommittees as the Trustees shall from time to time notify) shall be provided to the Trustees (by uploading to GovernorHub) as soon as reasonably practicable after those minutes are approved.

The draft minutes of each meeting will be circulated with the agenda for the next ordinary meeting of the full governing body and will be presented at that meeting by the chair (or in his/her absence another member of the committee).

The LGB shall ensure that a copy of:

- i) the agenda for every meeting of the LGB;
- ii) the draft minutes of every such meeting, if they have been approved by the person acting as chairman of that meeting;
- iii) the signed minutes of every such meeting; and
- iv) any report, document or other paper considered at any such meeting are, as soon as is reasonably practicable, made available at the Academies to persons wishing to inspect them.

There may be excluded from any item required to be made available any material relating to:

- i) a named teacher or other person employed, or proposed to be employed, at an Academy;
- ii) a named pupil at, or candidate for admission to, an Academy; and
- iii) any matter which, by reason of its nature, the LGB is satisfied should remain confidential.

4.4 *Voting*

Every question to be decided at a meeting of the LGB shall be determined by a majority of the votes of the persons present and entitled to vote on the question. Every member of the LGB shall have one vote.

Where there is an equal division of votes, the chairman of the meeting shall have a casting vote in addition to any other vote he may have.

The proceedings of the LGB shall not be invalidated by:

- i) any vacancy on the board; or
- ii) any defect in the election, appointment or nomination of any person serving on the LGB.

A resolution in writing, signed by all the persons entitled to receive notice of a meeting of the LGB or of a subcommittee of the LGB, shall be valid and effective as if it had been passed at a meeting of the LGB or (as the case may be) a subcommittee of the LGB duly convened and held. Such a resolution

may consist of several documents in the same form, each signed by one or more of the members of the LGB and may include an electronic communication by or on behalf of the LGB indicating their agreement to the form of resolution providing that the member has previously notified the LGB in writing of the email address or addresses which the member will use.

4.5 *Declarations of Pecuniary and Personal Interests*

Trustees should ensure that any pecuniary or conflicts of interest are declared at each meeting by everyone present.

4.6 *Frequency of review and approval of Terms of Reference*

The Terms of Reference will be reviewed by the Head of Governance on an annual basis. Changes (other than the annual revision of dates) will be approved by the Trust Board. The Terms of Reference will be issued to the LGB annually for them to adopt.

4.7 *Frequency and scope of self-assessment*

The work of the Committee will be reviewed annually in the summer term via Annual LGB Self-Assessment.

5 Delegated Powers

5.1 The LGB shall act in accordance with the responsibilities delegated to it under the Scheme of Delegation (see Appendix 1 below).

5.2 The LGB is authorised to invite attendance at its meetings from persons to assist or advise on a particular matter or range of issues, including members of Academy staff or other governors.

6 Key Responsibilities

The Local Governing Body provides focused governance for an academy at a local level. It should monitor the academy's key performance indicators and act as a critical friend, providing challenge where appropriate. It also plays a key role in representing the views of the academy's stakeholder. It should set aims and objectives and agree/adopt, monitor and review policies, targets and priorities in accordance with the Scheme of Delegation.

7 Key Tasks

Responsibilities in red text may be delegated differently based on the Trust's risk rating process or where the Trust has identified areas of concern:

WHEN	ACTION	SOD REF NO
Autumn-1	Complete Register of Pecuniary and Personal Interests	88
Autumn-1	Adopt LGB Code of Conduct	98
Autumn-1	Adopt Scheme of Delegation for current year	98
Autumn-1	Discuss and approve the Single Change Plan	
Autumn-1	Receive Governors' Monitoring and Evaluation Programme related to Operational Overview	
Autumn-1	Receive Governors' visit reports as per operational overview	
Autumn-1	Receive Committee reports	
Autumn-1	Adopt Core Trust Policies (as issued)	110
Autumn-1	Adopt Safeguarding Policy - ensure signed and on website	106
Autumn-1	Plan/Review CPD/Induction for Governors (including Safer Recruitment and Safeguarding training)	93
Autumn-2	Receive presentation from Senior/curriculum leaders related to Single Change Plan and Standards	
Autumn-2	Receive and discuss Headteacher's Termly School Self-Evaluation Report including the analysis of the vulnerable groups across the school and progress re single change plan	41, 43, 56
Autumn-2	Receive Committee reports	
Autumn-2	Receive Governors' visit reports as per Operational Overview	
Autumn-2	Receive reports from Designated Governors: Safeguarding, SEND, Looked After Children, Pupil Premium, Sport Premium, Health & Safety, EAL, Website Compliance, RSE	47, 81, 106, 111, 113
Autumn-2	Implement a health and safety policy in line with the Trust policy framework	72
Spring-1	Receive presentation from Senior/curriculum leaders related to Single Change Plan and Standards	
Spring-1	Receive verbal report from Headteacher including progress against Single Change Plan	41, 43, 56
Spring-1	Receive Committee reports	
Spring-1	Receive Governors' visit reports as per operational overview	
Spring-1	Review Governors' Monitoring and Evaluation Programme from Operational Overview	
Spring-1	Receive reports from Designated Governors: Safeguarding (including evidence of compliance with Prevent Duty), SEND, Looked After Children, Pupil Premium, Sport Premium, Health & Safety, EAL, Website Compliance, RSE	47, 81, 106, 111, 113

WHEN	ACTION	SOD REF NO
Spring-1	Review Published Admission Numbers (PAN) and forecast NOR	
Spring-1	Plan/Review CPD/Induction for Governors	93
Spring-1	Teacher Performance Management: Receive Data Capture Form on Teaching Staff	
Spring-2	Receive presentation from SENDCo	
Spring-2	Receive Safeguarding Report from Designated Safeguarding Lead	106
Spring-2	Receive and discuss Headteacher's Termly School Self-Evaluation Report including the analysis of the vulnerable groups across the school and progress re single change plan	41, 43, 56
Spring-2	Receive Committee reports	
Spring-2	Receive Governors' visit reports as per operational overview	
Spring-2	Receive reports from Designated Governors: Safeguarding, SEND, Looked After Children, Pupil Premium, Sport Premium, Health & Safety, EAL, Website Compliance, RSE	47, 81, 106, 111, 113
Summer-1	Receive presentation from Senior/curriculum leaders related to Single Change Plan and Standards	
Summer-1	Receive verbal report from Headteacher including progress against Single Change Plan	39, 41, 54
Summer-1	Receive Committee reports	
Summer-1	Receive Governors' visit reports as per operational overview	
Summer-1	Review Governors' Monitoring and Evaluation Programme as per Operational Overview	
Summer-1	Receive reports from Designated Governors: Safeguarding, SEND, Looked After Children, Pupil Premium, Sport Premium, Health & Safety, EAL, Website Compliance, RSE	47, 81, 106, 111, 113
Summer-1	Review impact of school strategy to improve Pupil Attendance	
Summer-1	Review impact of Staff CPD	
Summer-1	Review Attendance: Pupils (including Persistent Absence)/Staff/Governors	
Summer-1	Plan/Review CPD/Induction for Governors	93
Summer-1	Carry out annual self-assessment of the LGB and report to Trust Board	108
Summer-1	Consider succession planning of LGB members based upon skill-set review	118

WHEN	ACTION	SOD REF NO
Summer-2	Review Test/Assessment results where available/applicable: KS2 SATs, KS1 Assessments, Phonics Screening Check, EYFS Profile	
Summer-2	Receive and discuss Headteacher's Termly School Self-Evaluation Report including the analysis of the vulnerable groups across the school and progress re single change plan	41, 43, 56
Summer-2	Receive and agree Maintenance and Building Development Plan	
Summer-2	Receive Committee reports	
Summer-2	Receive Governors' visit reports as per operational overview	
Summer-2	Receive reports from Designated Governors: Safeguarding, SEND, Looked After Children, Pupil Premium, Sport Premium, Health & Safety, EAL, Website Compliance, RSE	47, 81, 106, 111, 113
Summer-2	Elect Vice-Chair (with effect from September)	98
Summer-2	Agree Committee (structures,) membership (and TOR)	98
Summer-2	To appoint a "responsible person"/link governor to discharge duties in respect of Safeguarding, SEND, LAC, Pupil Premium, Health & Safety, Website Compliance, RSE	90

Appendix 1: Extract from Scheme of Delegation showing responsibilities delegated to the Local Governing Body (excluding committees)

Responsibilities in red text may be delegated differently based on the Trust's risk rating process or where the Trust has identified areas of concern.

The responsibilities listed below are those which have been allocated to the full LGB (or a panel formed from the LGB). Other responsibilities are allocated to specific committees of the LGB and it is also the responsibility of the LGB to oversee that those responsibilities are carried out. Please refer to your Scheme of Delegation (Appendix 2) for a full list of all responsibilities.

No	Responsibility	Members	Trust Board	CEO	LGB	Headteacher	Comment
22	To make Deputy appointments (selection panel)			C	A	R	Full LGB
23	To appoint other teachers				A	R	Panel
24	To appoint non-teaching staff				A	R	Panel
41	To hold the Headteacher to account for standards of teaching			R	A		Full LGB
43	To hold the Headteacher to account for individual child's education			R	A		Full LGB
47	To ensure compliance with the Prevent Duty				A	R	Full LGB
59	To appoint the members of the panel to review whether to uphold an exclusion or direct the reinstatement of a pupil (immediately or on a particular date)			R	A		Full LGB
61	To consult before setting an admissions policy				A	R	Full LGB

No	Responsibility	Members	Trust Board	CEO	LGB	Headteacher	Comment
62	To consider Admissions application decisions and appeals				A	R	Panel
63	To appeal against LA directions to admit pupil(s)				A	R	Full LGB
72	To develop and implement a health and safety policy in line with the policy framework				A	R	Full LGB
76	To set the times of school sessions and extended activities				A	R	Full LGB
78	To ensure that the school meets for 380 sessions in a school year				A	R	Full LGB
83	To recommend appointment and removal of the Chair of the LGB			R	A		Full LGB
86	To hold a full LGB meeting in line with the Trust's Governance Framework or a meeting of the temporary governing body as often as may be required				A, R		Full LGB
88	To set up a Register of LGB Governors' Pecuniary and Personal Interests				A, R		Full LGB
90	To appoint a "responsible person"/link governor to discharge duties in respect of Safeguarding, SEND, LAC, Pupil Premium, Health & Safety, Academy Website Compliance				A, R		Full LGB
91	To ensure proper election processes are followed for staff and parent representatives on the LGB				A, R		Full LGB

No	Responsibility	Members	Trust Board	CEO	LGB	Headteacher	Comment
93	To determine the development needs of governors and put in place an appropriate programme based upon a skills audit				A, R		Full LGB
98	To ensure clear structures and systems are in place to manage public funds in line with the Nolan Principles and to protect the reputation of the Trust and academies within the Trust	A - at Trust level	A - Trust and academy level	R	R - at academy level	R - at academy level	Nolan principles
106	To ensure that the safeguarding policy is implemented, monitored and evaluated				A	R	Full LGB
110	To adopt and implement all Trust policies				A	R	Full LGB
111	To publish on academy website all locally developed policies and procedures				A	R	Full LGB
113	To ensure academy website is compliant with legislative requirements				A	R	Full LGB
117	To carry out annual self-assessment of the LGB and report to Trust Board			R	A		Full LGB
118	To carry out succession planning of LGB members based on skill-set review			R	A		Chair of LGB